

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 09/07/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOHAMMED BOUHAJRAH,

Plaintiff,

-v-

HILL DELI GROCERY CORP., AZAAL DELI
GROCERY CORP., ANA DELI GROCERY CORP.,
AND NASSER ALMASMARY,

Defendants.
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18-CV-11391 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 14, 2021, the Court ordered the Hill Deli Grocery Corp., Azaal Deli Grocery Corp., and Ana Deli Grocery Corp. (collectively, “the Corporate Defendants”) to inform the Court by no later than July 28, 2021 whether they intend to continue defending this action, Dkt. 91;

WHEREAS the Court instructed the parties that if the Corporate Defendants fail to respond to the Court’s order by the deadline, then the Court will presume that they have elected not to defend this action, *id.*;

WHEREAS the Court did not receive a response from the Corporate Defendants by the deadline;

WHEREAS on August 13, 2021, Plaintiff moved to amend the case caption to change the name of Defendant Hill Deli Grocery Corp. to Hill Deli Grocery Corp. 2, Dkt. 93;

WHEREAS on August 17, 2021, the Court construed Plaintiff’s motion to amend the case caption as a motion to amend the complaint, Dkt. 100;

WHEREAS the Court gave the Corporate Defendants an opportunity to respond in

opposition to Plaintiff's motion to amend the complaint, by no later than September 3, 2021, despite the Court's presumption that the Corporate Defendants had elected not to continue defending this action, *id.*;

WHEREAS the Court informed the Corporate Defendants that if they do not respond, the Court will grant Plaintiff's motion to amend the complaint, *id.*;

WHEREAS the Court ordered Plaintiff to serve a copy of the Court's order and the motion to amend on the Corporate Defendants, *id.*;

WHEREAS Plaintiff served the Corporate Defendants and filed proof of service on the docket, Dkts. 101, 103, 104; and

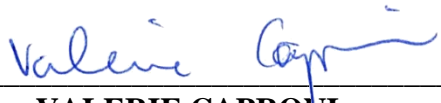
WHEREAS the Corporate Defendants did not respond to Plaintiff's motion to amend the complaint by the deadline;

IT IS HEREBY ORDERED that Plaintiff's motion to amend the complaint to replace Hill Deli Grocery Corp. with Hill Deli Grocery Corp. 2 is GRANTED. Plaintiff must file the amended complaint on the docket by no later than **Friday, September 10, 2021**. The amended complaint must also spell Defendant Nasser Almasmary's name correctly.

The Clerk of Court is respectfully directed to change Defendant Hill Deli Grocery Corp. to Defendant Hill Deli Grocery Corp. 2 in the case caption.

SO ORDERED.

Date: September 7, 2021
New York, New York



VALERIE CAPRONI
United States District Judge